

REMARKS

Claims 1-19 were originally filed in the present application.

Claims 1-19 are pending in the present application.

Claims 1-19 were rejected in the November 2, 2005 Office Action.

No claims have been allowed.

Claims 1, 2, 6, 7 and 11 are amended herein

Claims 1-19 remain in the present application.

Reconsideration of the claims is respectfully requested.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

In Section 3 of the November 2, 2005 Office Action, the Examiner rejected Claims 1, 5, 6 and 10 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent Publication No. US 2002/0051432 to *Shin* (the “Shin reference”). Applicants respectfully disagree.

The Shin reference discloses a method of performing a handoff using a gateway station between two different CDMA systems. Shin reference, ¶ [0017]; Abstract; and Figure 3. The Shin reference teaches a gateway station having a first sector inclusive of a frequency group of the first mobile communication system and a second sector inclusive of a frequency group of the second

mobile communication system. *Id.* at ¶ [0022]. The gateway station controls and manages handoff between the first mobile communication system and the second mobile communication system, therefore making the first and second mobile communication systems interchangeable. *Id.* Thus, a first soft handoff occurs from a first base station to a first sector of the gateway base station when a pilot signal strength from the gateway base station exceeds a threshold value. *Id.* at ¶¶ [0024] & [0043]. An inter-sector handoff occurs from the first sector to the second sector of the gateway base station when the pilot signal strength of the first base station meets a drop threshold value. *Id.* at ¶¶ [0024] & [0046]. Finally, a second handoff occurs from the second sector of the gateway base station to the second base station when a pilot signal strength of the gateway base station exceeds a threshold value. *Id.* at ¶¶ [0024] & [0047]. The Shin reference therefore teaches performing three successive handoffs, a first soft handoff, a hard handoff and a second soft handoff, to facilitate communications between different CDMA systems or between 2G and 3G systems and thus eliminating the so-called ping-pong effect. *Id.* at ¶¶ [0024] & [0048]. Accordingly, the Shin reference specifically *teaches away* from performing *a hard handoff* for the mobile station between the transition base transceiver station and the second base transceiver station, as required by amended Claims 1 and 6, and its dependants Claims 5 and 10, respectively. Claims 1, 5, 6 and 10 are thus patentably distinguishable. Applicants therefore request favorable reconsideration and the withdrawal of the §102 rejection.

In Section 4 of the November 2, 2005 Office Action, the Examiner rejected Claims 11, 13 and 14 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent Publication No. US 2001/0007819 to *Kubota* (the “Kubota reference”). Applicants respectfully disagree.

The Kubota reference discloses a system for performing a hand-off control process via the mobile switching center (MSC) between different mobile communication systems. Kubota reference, ¶ [0025]. The Kubota reference teaches that base station controllers (BSC) have channel station data indicative of whether there is a *channel between the source MSC and a different system's target MSC*. *Id.* at ¶ [0062]. This type of channel station data is stored in memory and corresponds to the tables shown in Figures 6-9. *Id.* at ¶¶ [0069]-[0073]. The Kubota reference teaches having the BSC perform an *inter-system* hand-off control process when there is an inter-system channel connected to the target system's MSC. *Id.* at ¶ [0062]. On the other hand, if there is no inter-system channel connected to the target system's MSC, the Kubota reference teaches that the BSC performs an *inter-MSC* (or *intra-system*) hand-off control process. *Id.* There is no disclosure or teaching of within the Kubota reference of a method of providing reliable hard handoffs between a first wireless network and a second wireless network using a *transition base transceiver station*. Therefore, Kubota reference fails to disclose, for example, performing a *hard handoff* for the mobile station between the *transition base transceiver station* and a second base transceiver station in the second wireless network, as required by amended Claim 11 and its dependants, Claims 13 and 14. Thus, Claims 11, 13 and 14 are patentably distinguishable. Applicants therefore request favorable reconsideration and the withdrawal of the §102 rejection.

In Section 8 of the November 2, 2005 Office Action, the Examiner rejected Claims 2-4 and 7-9 under 35 U.S.C. § 103(a) as being unpatentable over the Shin reference in view of the Kubota reference. Applicants respectfully disagree. Claims 2-4 ultimately depend from allowable Claim 1. Similarly, Claims 7-9 ultimately depend from allowable Claim 6. Thus, for the reasons given above Claims 2-4 and 7-9 are also allowable. Applicants therefore request favorable reconsideration and the withdrawal of the §103 rejection.

In Section 9 of the November 2, 2005 Office Action, the Examiner rejected Claims 12 and 16-19 under 35 U.S.C. § 103(a) as being unpatentable over the Kubota reference in view of the Shin reference. Applicants respectfully disagree. Claim 12 and 16-19 ultimately depend from allowable Claim 11 and are thus also allowable for the reasons given above. Applicants therefore request favorable reconsideration and the withdrawal of the §103 rejection.

In Section 10 of the November 2, 2005 Office Action, the Examiner rejected Claim 15 under 35 U.S.C. § 103(a) as being unpatentable over the Kubota reference. Applicants respectfully disagree. Claim 10 ultimately depends from allowable Claim 6 and thus is also allowable for the reasons given above. Applicants therefore request favorable reconsideration and the withdrawal of the §103 rejection.

SUMMARY

For the reasons given above, the Applicant respectfully requests reconsideration and allowance of the pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@davismunck.com*.

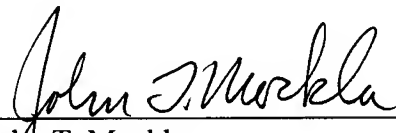
The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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